

17 # RRR

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SILVESTRE MOSSO, individually and on Behalf of All Other  
Persons Similarly situated,

Plaintiffs,

- against -

KENJI SEKIYA d/b/a YUKA RESTAURANT,  
Defendant.

08 CV 3515 (VM)  
~~03 CV 6048 (GEL) (ICE)~~

**STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE**

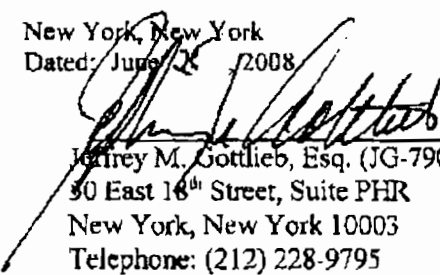
WHEREAS THE SIGNATORY PARTIES HAVE AMICABLY SETTLED ALL CLAIMS  
BETWEEN THEM TO THEIR MUTUAL SATISFACTION, IT IS HEREBY STIPULATED AND  
AGREED by and between the undersigned, counsel for the parties herein, as follows:

1. All claims presented in the Complaint herein shall be and hereby are dismissed with prejudice  
as to Defendants Kenji Sekiya d/b/a Yuka Restaurant ("Yuka Defendants"), Grace Restaurant Inc.,  
(hereinafter Yuka) pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure.

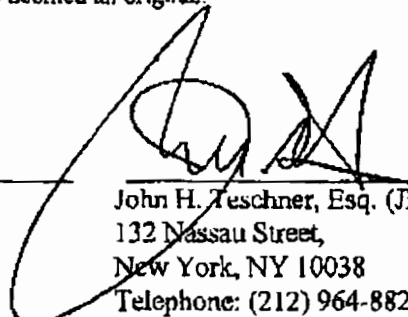
2. Plaintiff and the Yuka Defendants shall bear their own costs and attorneys', accountants' and  
experts' fees.

3. A facsimile signature hereon shall be deemed an original.

New York, New York  
Dated: June 28, 2008

  
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Attorney for Defendants  
Kenji Sekiya  
Yuka Restaurant  
Grace Restaurant, Inc.,

NY:J482336v1

**SO ORDERED:**

7-16-08   
DATE VICTOR MARRERO, U.S.D.J.

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